



APPLICATION FOR VARIANCE

State Form 44400 (R7 / 10-13)
Approved by State Board of Accounts, 2013

INDIANA DEPARTMENT OF HOMELAND SECURITY CODE SERVICES SECTION

302 West Washington Street, Room W246
Indianapolis, IN 46204-2739

http://www.in.gov/dhs/fire/fp_bs_comm_code/



INSTRUCTIONS: Please refer to the attached four (4) page instructions.
Attach additional pages as needed to complete this application.

Variance number (Assigned by department)

15-01-04

1. APPLICANT INFORMATION (Person who would be in violation if variance is not granted; usually this is the owner)

Name of applicant	Type
JURIS VITOLS	OWNER
Name of organization	Telephone number
	812 345 4404
Address (number and street, city, state, and ZIP code)	
8570 S. Old State Road 37, Bloomington, IN 47403	

2. PERSON SUBMITTING APPLICATION ON BEHALF OF THE APPLICANT (If not submitted by the applicant)

Name of applicant	Type
Name of organization	Telephone number
	()
Address (number and street, city, state, and ZIP code)	

3. DESIGN PROFESSIONAL OF RECORD (If applicable)

Name of design professional	License number
Name of organization	Telephone number
	()
Address (number and street, city, state, and ZIP code)	

4. PROJECT IDENTIFICATION

Name of project	State project number	County
1211 East Branch Road		Monroe
Address of site (number and street, city, state, and ZIP code)		
1211 East Branch Road, Bloomington, IN 47403		
Type of project		
<input type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Alteration <input type="checkbox"/> Change of occupancy <input checked="" type="checkbox"/> Existing		

5. REQUIRED ADDITIONAL INFORMATION

The following required information has been included with this application (check as applicable):

☒ A check made payable to the Indiana Department of Homeland Security for the appropriate amount. (see instructions)

☐ One (1) set of plans or drawings and supporting data that describe the area affected by the requested variance and any proposed alternatives.

☐ Written documentation showing that the local fire official has received a copy of the variance application.

☐ Written documentation showing that the local building official has received a copy of the variance application.

6. VIOLATION INFORMATION

Has the Plan Review Section of the Division of Fire and Building Safety issued a Correction Order?

☐ Yes (If yes, attach a copy of the Correction Order.) ☒ No

Has a violation been issued?

☒ Yes (If yes, attach a copy of the Violation and answer the following.) ☐ No

Violation issued by:

☒ Local Building Department ☐ State Fire and Building Code Enforcement Section ☐ Local Fire Department

7. DESCRIPTION OF REQUESTED VARIANCE

Name of code or standard and edition involved

1987 Indiana Residential Code

Specific code section

Section R-211.2

Nature of non-compliance (Include a description of spaces, equipment, etc. involved as necessary.)

Existing height of window does not meet requirements. Existing height is '20.75".

8. DEMONSTRATION THAT PUBLIC HEALTH, SAFETY, AND WELFARE WILL BE PROTECTED

Select one of the following statements:

- ☒ Non-compliance with the rule will not be adverse to the public health, safety or welfare; or
- ☐ Applicant will undertake alternative actions in lieu of compliance with the rule to ensure that granting of the variance will not be adverse to public health, safety, or welfare. Explain why alternative actions would be adequate (*be specific*).

Facts demonstrating that the above selected statement is true:

9. DEMONSTRATION OF UNDUE HARDSHIP OR HISTORICALLY SIGNIFICANT STRUCTURE

Select at least one of the following statements:

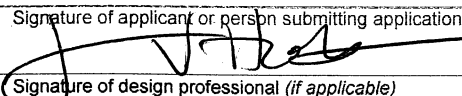
- ☐ Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of physical limitations of the construction site or its utility services.
- ☐ Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of major operational problems in the use of the building or structure.
- ☒ Imposition of the rule would result in an undue hardship (*unusual difficulty*) because of excessive costs of additional or altered construction elements.
- ☐ Imposition of the rule would prevent the preservation of an architecturally or a historically significant part of the building or structure.

Facts demonstrating that the above selected statement is true:

Enlarging window in existing structure is cost prohibitive.

10. STATEMENT OF ACCURACY

I hereby certify under penalty of perjury that the information contained in this application is accurate.

Signature of applicant or person submitting application	Please print name	Date of signature (month, day, year)
	Juris Vitols	12/2/2014
Signature of design professional (if applicable)	Please print name	Date of signature (month, day, year)

11. STATEMENT OF AWARENESS (If the application is submitted on the applicant's behalf, the applicant must sign the following statement.)

I hereby certify under penalty of perjury that I am aware of this request for variance and that this application is being submitted on my behalf.

Signature of applicant	Please print name	Date of signature (month, day, year)



City of Bloomington
Housing and Neighborhood Development

Cycle Report

6786

OWNERS

=====

Vitols, Juris E.
8570 S. Old State Road 37
Bloomington, IN 47403

AGENT

=====

Deb Tomaro
8570 S. Old State Road 37
Bloomington, IN 47403

Prop. Location: 1211 W East Branch RD
Number of Units/Structures: 1/1
Units/Bedrooms/Max # of Occupants: 1/3/3

Date Inspected: 10/16/2014
Primary Heat Source: Gas
Property Zoning: PUD
Number of Stories: 1

Inspectors: John Hewett
Foundation Type: Basement
Attic Access: no
Accessory Structure: None

Monroe County Assessor's records indicate this structure was built in 1989.

Minimum emergency egress requirements for the time of construction:

Openable area required: 4.75 sq. ft.

Clear width required: 18"

Clear height required: 24"

Maximum Allowable Sill Height: 48" above finished floor

Interior

Living room
14-11 x 11-2
No violations noted.

Dining room
7-11 x 11-2
No violations noted.

Kitchen
7-2 x 11-2



City of Bloomington
Housing and Neighborhood Development

NOV 14 2014

RENTAL PERMIT INFORMATION

Vitols, Juris E.
8570 S. Old State Road 37
Bloomington, IN 47403

Property Location: 1211 W. East Branch Rd..

Please find enclosed the Cycle Inspection Report which details recommendations and violations found during the recent inspection of your rental property. You have sixty (60) days from the date of this letter to correct the violations listed on the report.

Once violations have been corrected, it is your responsibility to call the Housing and Neighborhood Development office by **JAN 13 2015** to schedule a re-inspection. You have the right to appeal any violation to the Board of Housing Quality Appeals. An appeal form can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 812-349-3420 and a form will be provided.

This report is issued in accordance with BMC 16.10.020(a) and 16.10.040(a) of the Residential Rental Unit and Lodging Establishment Inspection Program. Residential Rental Occupancy Permits will not be issued until all interior and exterior violations have been corrected, and all fees have been paid. Please be advised that non-compliance by the deadlines listed in this letter can limit the permit period to a maximum of three (3) years. A copy of the Notice of Fees can be found at www.bloomington.in.gov/hand. If you do not have access to the internet, you may contact HAND at 349-3420 and a form will be provided.

If your address has changed since your last inspection, please submit a new registration form to the HAND Department. You can find the registration form online at the website listed above. If you do not have internet access, you may contact HAND at 812-349-3420 and a form will be mailed.

If you have any questions regarding the permit process, please call weekdays between 8:00 a.m. and 5:00 p.m., at (812) 349-3420.

Sincerely,

Housing and Neighborhood Development Department

Enclosures: Inspection Report

XC: Deb Tomaro

NM

Repair the GFCI receptacle to the right of the sink to function as intended by the manufacturer.
BMC 16.04.060(b)

Bathroom

No violations noted.

SW bedroom

8-9 x 8-5

The emergency egress window does not meet the minimum requirements for a one and two family dwelling built in 1989. The relevant code is the 1987 Indiana Residential Code, section: R-211.2

Openable area required:	4.75sq. ft.	Existing area:	5.0sq. ft.
Clear width required:	18"	Existing width:	35"
Clear height required:	24"	Existing height:	20.75"
Maximum sill height:	48" above finished floor	Existing sill:	35.5"

The emergency egress window does not meet the minimum code requirements for the time the structure was built. For that reason, the City will not issue a rental permit until either the window is altered or replaced to meet the code requirement at the time of construction, or you apply for an egress variance with the Indiana Fire and Building Safety Commission. BMC-16.04.020 (b).

The State variance application forms are available at the *Department of Homeland Security* on the *Fire Prevention and Building Safety Commission's* web site at www.in.gov/dhs/2375.htm. Scroll down to *Downloadable Forms and Documents* and click on *Variance Application and Instructions*. If you need any further clarification, the Commission can be reached at 317.233.5341.

SE bedroom

11-10 x 7-10

The window measurements are the same as noted above.

No violations noted.

NE bedroom

11-4 x 10-9

The window measurements are the same as noted above.

No violations noted.

Lower level

Family room

10-8 x 23-10

No violations noted.

1/2 bath

No violations noted.

Garage

Temperature/pressure relief (TPR) valve discharge tubes:

- shall not be reduced in size from the valve outlet
- shall be rigid galvanized, rigid copper, or any CPVC pipe
- **shall not have a threaded discharge end**
- drain by gravity
- shall have a minimum 1" air gap where discharging into a sanitary drain, or an approved air break
- shall extend to within 6" of floor. BMC 16.04.060(c)

Other requirements

Required documentation:

A completed copy of the Tenants and Owners Rights and Responsibilities Summary must be provided to this office or reviewed with the inspector within 60 days of the date of the inspection or a **\$25.00 fine will be levied.** BMC 16.12.050 (d) and 16.10.030(b)

Required documentation:

The owner or his agent shall contact the tenant and arrange a joint inspection of the premises to occur within ten days of the tenant's occupancy of the rental unit. The owner or his agent and the tenant shall at that time jointly complete an inventory and damage list, and this shall be signed by all parties to the tenancy agreement. Duplicate copies of the inventory and damage list shall be retained by all parties and shall be deemed a part of the tenancy agreement. **A completed copy of the Inventory & Damage List must be provided to the office or reviewed with the inspector within 60 days of the date of the inspection or a \$25.00 fine will be levied.** BMC 16.12.040 and 16.10.030(b)

When issued, a copy of the new Rental Occupancy Permit shall be posted as required by BMC 16.12.080 (b): All rental units shall be required to have a current occupancy permit displayed in an accessible location inside the unit. The permit shall contain the name of the owner or his agent and the expiration date of the permit. BMC 16.12.080 (b)

This is the end of this report.